UNITED STATES DISTRICT COURT IN THE UNITED STATES DISTRICT COURTALBUQUERQUE, NEW MEXICO

FOR THE DISTRICT OF NEW MEXICO

DEC 1 8 2018 |mn

STATE OF NEW MEXICO, ex rel. State Engineer

Plaintiff,

69cv07941-MV/KK

VS.

RIO CHAMA STREAM SYSTEM

Lie M. Anhanton

ROMAN ARAGON, et al.,

Section 7: Rio Brazos

Defendants.

NOTICE OF CLAIM TO THE USE OF WATER BASED ON THE TREATY OF **GUADALUPE HIDALGO IN THE RIO BRAZOS SUBSECTION OF SECTION 7** OF THE RIO CHAMA STREAM SYSTEM

I have signed and approved a Consent Order in the adjudication of water rights in the Rio Brazos Subsection and would like to make a claim to the use of water based on the Treaty of Guadalupe Hidalgo. I have read the Court's Notice and Order to Show Cause in the Rio Brazos Subsection of Section 7 of the Rio Chama Stream System, and I understand that if I do not follow the instructions described in the Notice, my Treaty-based claim may be dismissed.

MAILING ADDRESS: 170 B Lower San Pedro Rd, Espanola Nm 87532 CONTACT PHONE: (505) 929-1367 (cell) (505) 747-8138 (home) CONTACT E-MAIL: jeabenta@ Valor Net. com	NAME(S): Joe P. Aberta Jr. substitute party for Fernando Salatar
contact phone: (505) 929-1367 (cell) (505) 747-8138 (home) contact E-MAIL: <u>jeabenta@ Valor Net. Com</u> Address of property: <u>Los Oyos, NM 8755</u> consent order subfile number (IF KNOWN): <u>CHRB-007-0025</u> SIGNED BY: Jel Abent Jr. file a motion for substitution of parties.	MAILING ADDRESS: 170 B Lower San Pedro Rd, Espanola Nm 87532
ADDRESS OF PROPERTY: Los Oyos, NM 8755] CONSENT ORDER SUBFILE NUMBER (IF KNOWN): CHRB-007-0025 SIGNED BY: Joe P. Abert Jr. file a motion for substitution of parties.	CONTACT PHONE: (505) 929-1367 (cell) (505) 747-8138 (home)
CONSENT ORDER SUBFILE NUMBER (IF KNOWN): CHRB-007-0025 I now own this property and will signed by: file a motion for substitution of parties.	CONTACT E-MAIL: jeabenta @ Valor Net. com
consent order subfile number (if known): <u>CHRB-007-0025</u> SIGNED BY: Joe P. Abey Jr. file a motion for substitution of parties. DATE: 12-14-18	ADDRESS OF PROPERTY: Los Oyos, NM 8755)
SIGNED BY: July 1 Thow own this property and will DATE: 12-14-18	CONSENT ORDER SUBFILE NUMBER (IF KNOWN): <u>CHRB-007-0025</u>
DATE: 12-14-18	SIGNED BY: Juf Abey Jr. file a motion for substitution of parties.
	DATE: 12-14-18

*****SEE REVERSE SIDE FOR FILING INSTRUCTIONS*****

• Your completed form may be filed in person or mailed to:

United States District Court Clerk
333 Lomas Blvd. NW
Suite 270
Albuquerque, NM 87102

• Alternatively, you may file your completed form in person by bringing it to:

United States District Court Clerk 106. S. Federal Place Santa Fe, NM 87501

• Your completed form must be filed with the Court no later than:

TUESDAY, DECEMBER 18, 2018

- Your Notice of Claim form must include enough contact information to enable the State to
 contact you in order to set up a conference regarding your Treaty-based claim. Any Notice of
 Claim form that does not include information sufficient for the State to contact you may not
 be considered by the Court.
- If you file a Notice of Claim form, please keep a copy of your completed form for your own records.
- If you have any questions about this form, or about the adjudication of water rights on the Rio Chama, please contact:

Felicity Strachan
N.M. Office of the State Engineer
130 S. Capitol Street
Santa Fe, NM 87501
Phone: (505) 819-1044

Email: felicity.strachan@state.nm.us

PERSONAL REPRESENTATIVE DEED

I, Joe P. Abeyta Jr., personal representative of the Estate of Fernando Salazar, deceased, appointed on May 28, 2009 by the Probate Court, County of Rio Arriba, New Mexico, Probate No. PB-2009-0017, grants to Joe P. Abeyta Jr., as an individual, whose address is Joe P. Abeyta Jr., 170B Lower San Pedro Rd., Espanola, New Mexico 87532, all the interest of the estate of Fernando Salazar, deceased, in and to the real estate located in Rio Arriba County, New Mexico:

PROPERTY

A parcel of property located in Parkview (Los Ojos), Rio Arriba County, NM, further described as follows:

"Ademas, un solar que mide aproximadamente 125 pies de oriente a poniente, y aproximadamente como 25 pies de norte a sur, conlindantes son como sique; por el norte, con propiedad de Fernando Salazar; para el sur, con propiedad ahora o antes de Simodosea M. Salazar; para el oriente, con propiedad ahora on antes de Simodosea M. Salazar; y para el poniente, con propiedad de Simodosea M. Salazar, ahora o antes, extendiendo hasta arriba la ladera. Juntamente una casa de dos cuartos que estan hubicados en este mismo solar."

Being and intended to be a portion of the property contained in that deed recorded December 1, 1959 in Book 62, page 119, records of Rio Arriba County, New Mexico Clerk's office.

As per Commonwealth Espanola Title & Abstract Company Title Report # 6511003174A:

In the PUBIC OFFICIAL INDICES of the Real Estate Records of Rio Arriba County, New Mexico, in the office of COUNTY CLERK, TREASURER and DISTRICT COURT of Rio Arriba County, New Mexico from December 01, 1959 @ 8:00 to March 15, 2010 @ 8:00, covering the above described property are found the following records affecting title to said property:

Simodosea M. Salazar TO: Fernando Salazar WARRANTY DEED (SPANISH)

D: 12/01/1959 F: 12/01/1959 Book 62 Page 119

PROPERTY TAX DESCRIPTION: Property # 1 018 172 020 499 Section-13 Township-29N Range-03E 0.09 AC. Assessed under — Fernando Salazar Owner # 0008629

The Estate of Fernando Salazar Deceased

By:

Joe P Abeyta Jr., Personal Representative

STATE OF NEW MEXICO COUNTY OF RIO ARRIBA

The foregoing instrument was acknowledged before me this <u>SO</u> day of

Decayable 2010, by Joe P. Abeyta Jr., personal representative of the estate of Fernando

Salazar, deceased.

Notary Public

My commission expires: 12/24/20

COMMONWEALTH ESPANOLA TITLE & ABSTRACT COMPANY

-TITLE REPORT-

6511003174A

PREPARED FOR:

Fernando Salazar/Joe Abeyta

PROPERTY: Ademas, un solar que mide aproximadamente 125 pies de oriente a poniente, y aproximadamente como 25 pies de norte a sur, con lindantes son como sigue; por el norte, con propiedad de Fernando Salazar; para el sur, con propiedad ahora o antes de Simodosea M. Salazar; para el oriente, con propiedad ahora o antes de Simodesea M. Salazar; y para el poniente, con propiedad de Simodosea M. Salazar, ahora o antes, extendiendo hasta arriba la ladera. Juntamente una casa de dos cuartos que estan hubicados en este mismo solar.

In the PUBLIC OFFICIAL INDICES of the Real Estate Records of Rio Arriba County, New Mexico, in the office of COUNTY CLERK, TREASURER and DISTRICT COURT of Rio Arriba County, New Mexico, from April 30, 1970 @ 8:00 to March 15, 2010 @ 8:00, covering the above described property, and we find the following records affecting title to said property:

Simododea M. Salazar TO: Fernando Salazar WARRANTY DEED D: 12/01/1959 F: 12/01/1959 Book 62 Page 119

Property Taxes $-2009 - 1^{st}$ half - PAID 2^{nd} half - OWING - TOTAL OWING \$72.87 Sec 13 T29N R 3E -0.09 ac. 1-018-172-020-499 Assessed under - Fernando Salazar Owner # 8629

THIS TITLE REPORT IS PREPARED SOLELY FOR INFORMATIONAL PURPOSES, AND THE COMPANY MAKES NO REPRESENTATIONS AS THE STATUS OF TITLE AND ASSUMES NO LIABILTY FOR THE LEGALITY OR SUFFICUENCY OF ANY DOCUMENT OR OTHER MATTE IN THE CHAIN OF TITLE. LIABILITY IS LIMITED TO THE AMOUNT PAID FOR THIS REPORT CUSTOMER'S ACCEPTANCE OF THIS REPORT CONSTITUTES ACCEPTANCE OF THES TERMS.

COMMONWEALTH ESPANOLA TITLE & ABSTRACT CO.

Barney Vigil

Please retain the upper portion of this pill for your records cure 12 PIB Page DIVIA OLGUN Detach coupons and use for payment remittance.

YOUR CANCELLED CHECK IS YOUR RECEIPT.

PLEASE DO NOT PAY TAXES IF PAID BY MORTGAGE/ESCROW.

OWNER NUMBER: 1672 ABEYTA, JOE P. JR. 170B LOWER SAN PERDO RD. ESPANOLA, NM 87532

TREASURER RIO ARRIBA COUNTY P.O. BOX 548 TIERRA AMARILLA, NM 87575 (575) 588-7727 • (505) 753-1663

ACCOUNT NO.: ➤ R001541 PARCEL NO.: ➤ 1017173440014

NET TAXABLE VALUES WILL BE ALLOCA	TED TO GOVERNMENTAL UI	NITS IN SCHOOL D	ISTRICT ▶ 19_OUT_NR		
DISTRIBUTION TAX I	RATE PER \$1,000 T	OTAL DUE	LEGAL	DESCRIPTION	
County Hospital CNTYHOSPTL_NR_COUNTY HOSP Rio Arriba County NR State of NM Chama Schools CapImp NR Chama Schools Dbt NR Chama Schools Opp NR Upper Chama SWCD R	4.250 0.000 11.850 1.360 1.918 8.052 0.459 1.000	1.55 0.00 4.33 0.50 0.70 2.94 0.17	S: 11 T: 29N R: 03E 6.65 AC. TR. OF LAND IN THE SE1/4, BK.105 PG.79 23278 04/30/1970 BK.533 PG.6846 201006846 12/22/2010, LIVESTOCK ASSESSED ON P045283		
			PROPERTY IRRIGATED LAND	FULL VALUE TA: 1,097	XABLE VALUE 366
(O) (A) 2018 (A)		10.56	The state of the s	TOVALUE >	366
DELINQUENT TAXES (INCLUDING ALL LATE FEES) MUST BE PAID IN FULL BEFORE CURRENT TAX PAYMENTS WILL BE ACCEPTED.	YEAR	ГАХ	INTEREST	PENALTY AMO	OUNT DUE
FIRST HALF TAX PAYMENT IS DUE NOVEMBER 10, 2018					
TO AVOID INTEREST AND PENALTY CHARGES, PLEASE PAY BEFORE DECEMBER 10, 2018	SECOND HALF TO AVOID INTEREST AND PENALTY TAX PAYMENT IS DUE CHARGES, PLEASE PAY BEFORE (Including delinquencies) APRIL 10, 2019 MAY 10, 2019 \$10.56				

SECOND HALF COUPON

Make check payable to: **RIO ARRIBA COUNTY TREASURER PO BOX 548** TIERRA AMARILLA, NM 87575-0548

WRITE THIS ACCOUNT ON YOUR CHECK

R001541 1017173440014

THIS BILL IS DUE BY APRIL 10, 2019. TO AVOID INTEREST AND PENALTY CHARGES, **DETACH THIS COUPON AND** REMIT WITH PAYMENT BY: MAY 10, 2019.

SECOND HALF DUE MAY 10, 2019

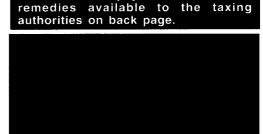
R001541

\$5.28 Second Half Due

Ուինիլիակերըսհվուիիսկուկիրդումներիցիցիցիկինցի

ABEYTA, JOE P. JR. 170B LOWER SAN PERDO RD ESPANOLA NM 87532

T117 P1 21 RN: 002 AC: R001541



Please read taxpayer's remedies and

PLEASE REFER TO YOUR ACCOUNT NO. AND PARCEL NO. WHEN MAKING INQUIRIES OR PAYMENTS. WRITE BOTH NUMBERS ON YOUR CHECK TO INSURE PROPER CREDIT.

FIRST HALF COUPON

Make check payable to: RIO ARRIBA COUNTY TREASURER PO BOX 548

TIERRA AMARILLA, NM 87575-0548

NO. AND PARCEL NO. ON YOUR CHECK

R001541 1017173440014

\$5.28

\$5.28

\$10.56

TO AVOID INTEREST AND PENALTY CHARGES, SEND BOTH COUPONS WITH FULL YEAR PAYMENT -OR- DETACH THIS COUPON AND REMIT WITH PAYMENT BY: DECEMBER 10, 2018. PAYMENT IS ACCEPTABLE EITHER IN FULL OR HALVES.

ABEYTA, JOE P. JR.

170B LOWER SAN PERDO RD. ESPANOLA, NM 87532

FIRST HALF / PRIOR YEAR TAXES DUE BY DECEMBER 10, 2018 2ND HALF TAXES DUE BY MAY 10, 2019

TOTAL TAXES DUE





Please read taxpayer's remedies and remedies available to the taxing authorities on back page.



FLAT RATE ENVELOPE ONE PATE * ANY WEIGHT"

APPLY PRIORITY MAIL POSTAGE HERE

08 Lower San Pedro Rd. 6 12 1212 WILL OLI

panola, NM 8753,2

EXPECTED DELIVERY DAY: 12/18/18

United states District Court Clerk

USPS TRACKING NUMBER

333 Lomas BIVd. NW Juite 270 756/28 MN manantager

EP14H July 2013 Outer Dimension: 10 x 5

 $^{\mathsf{R}}$ For international shipments, the maximum weight is 4 lbs